

The Board of Selectmen Meeting was held on Tuesday, May 13, 2014 beginning at 7:00p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Mark Gallivan, Chairman
Michael Berry, Vice Chairman
Nancy Mackenzie, Clerk
Christopher Timson
Clifton Snuffer

Also present:
Michael Boynton, Town Administrator
Cindy Berube, Executive Assistant

PROCLAMTION

Mrs. Mackenzie read into the record.

MOTION moved by Mr. Snuffer to sign the Proclamation for Father Tim Kelleher of the Blessed Sacrament Church, seconded by Mr. Berry VOTED 5-0-0

AGENDA ITEMS

Contd. Public Hearing for Supa Sales, Class II License

MOTION moved by Mrs. Mackenzie to continue the Public Hearing for Supa Sales seconded by Mr. Berry, VOTED 5-0-0

Mellissa Magnussen thanked the Boards that have helped them out in the past several months. It has been a long road. At our last meeting, the Selectmen could not vote because of open issues with Conservation and Planning and they have closed out all issues with both.

Mr. Timson had reviewed the approved site plan and ZBA plan and noted there are 18 spaces for vehicles. He questioned how many vehicles they wish to sell. Mr. Santos stated they are looking to have 6 vehicles in the front and have a total of 15 cars. Mr. Timson questioned if the Board approved 18 with only 6 to be displayed on the property. One question I was going to ask, how many spaces are required for your use under zoning. You have to have a number of spaces per your office for employees. When we were before the ZBA 18 number was discussed. He is concerned the Board would be taking away spaces that would need to be used by employees and customers.

Mr. Boynton informed the members there was a question about DEP compliance as of 5pm Mellissa is now the person responsible for the clean up of the Zion site. The expectation is that all DEP deadlines must be met for compliance. It is 3025468 tracking number.

Mrs. Mackenzie noted the plan before the ZBA and Planning are not the same. Mr. Timson wants to know how many spaces are required for their use. Mr. Santos stated there will be three employees. Mr. Boynton thinks 18 is enough spaces. Mr. Timson noted if you display 6 cars out front. There is one handicap and one regular. The rest are on the side. Melissa stated the gate to the side of the building will be open during regular business hours.

Mrs. Mackenzie further noted in the decision of Oct 15, they reference plans that are different. The later plan shows behind the gate. Seven spaces out front and a handicap. You get a Special Permit for the use, they do not address how many spaces are for what. Confused as to what plan we are looking at.

Melissa the gate is going to remain open. We are going to have to store vehicles and lock in an enclosed area. The issue with the plan in between the timeframe when we went thru ZBA and Planning Board we needed to hire an engineer and meet the zoning requirements of the town. The plan you have in front of you is the one approved by Planning Board.

Mr. Snuffer stated that many of our boards have gone thru a lot of hurdles, the amount of work that it has taken by our boards in order for this to get to us. When staff all sat together, assisting and guide a potential licensee. He finds what is in front of the Board tonight having resolved the issues. He is pleased in what he has in front of him.

Mr. Gallivan asked if anyone has questions from the public. Mrs. Mackenzie is concerned how many vehicles will be out front.

Mr. Timson wants to issue the license for only 15 and see how it goes. If they are only allowed 18 parking spaces on site, they need some of those for employees and customers.

Mr. Boynton suggests the Board reference the Planning Board plan.

MOTION moved by Mr. Berry to close the Public Hearing, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION to grant a Class II license to Supa Sales & Service, owned by John Santos and Melissa Magnussen located at 1900 Main Street, Assessor's Parcel 46-67.(Zion property) This license will allow for 15 vehicles for sale only in the area approved under the Site Plan Approval. Five vehicles displayed out front, and employee parking out back behind the gate as shown on the plan. This approval is subject to the applicant abiding by all conditions set forth in the decision case no 14-2 of the Planning Board dated May 12, 2013 and site plan dated April 1, 2014 revised April 23, 2014, and the Zoning Board of Appeals decision case #21-13 dated October 15, 2014, Conservation Commission order of conditions DEP#315-1043 and DEP315-1026 and any comments or conditions from

Town Departments. A follow up for the DEP issues will be submitted with the renewal on an annual basis, seconded by Mr. Snuffer VOTED 5-0-0

5-3 Jen Wolf, Cultural Council

MOTION moved by Mrs. Mackenzie to appoint Jennifer Wolf to the Cultural Council as a Regular Member, seconded by Mr. Timson, VOTED 5-0-0

5-4 Phil Wild, PBC

MOTION moved by Mrs. Mackenzie, to appoint Phil Wild to the PBC as a Regular Member, seconded by Mr. Timson, VOTED 5-0-0

5-5 Transfer of Liquor License, Peking Garden to Eastern Pearl

MOTION moved by Mr. Berry to open the public hearing for the Transfer of the Liquor license from Peking Garden to Eastern Pearl, located on 2275 Boston Providence Hwy seconded by Mr. Snuffer, VOTED 5-0-0

Attorney Wei Jia representing the applicant for the transfer. This is a husband and wife company who previously owned a restaurant in Medfield. They are both TIP certified and have experience. They have a ten year lease and plan to do some renovations after the transaction is completed. They wish to construct a Sushi Bar and change liquor counter, and move dining area petition wall. They wish to be open seven days a week 10 a.m. to 1 am. The paperwork is in order.

Mrs. Mackenzie questioned as far as the parking lot license. The current owner uses it during stadium events. They wish to be open during stadium events? They have trash barrels there. The police and fire have no negative comments.

MOTION moved by Mr. Snuffer to close the public hearing, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mr. Berry to approve the Transfer the All alcoholic Common Victualler's License from Peking Garden to Hong Kong Eastern Pearl Enterprise, Inc. d/b/a Eastern Pearl for the property located at 2275 Boston Providence Hwy, seconded by Mrs. Mackenzie, VOTED 5-0-0

Parking Lot License, Eastern Pearl

MOTION moved by Mr. Berry to approve the Parking Lot license for 80 vehicles during stadium events, seconded by Mr. Snuffer, VOTED 5-0-0

Board of Selectmen

Minutes of May 13, 2014

MOTION moved by Mr. Berry to approve the entertainment license for Television and CD Player, seconded by Mr. Snuffer, VOTED 5-0-0

5-6-5-9 Public Access TV Citizens Committee

Eric Kraus

The Board had formed a Public Access TV Citizens Committee. Mr. Erick Kraus is seeking an appointment to this committee. He noted it has been about a year since he stepped down as a Selectmen and the concerns regarding public access cable TV has been of concern for some time. He would like to take it to the next level. He wants the residents to know that it is our best intention to provide good programming. WCTV has not been willing to work with the town to deliver positive enhancements. More than a solution, the needs of overall communications. In conclusion the committee will bring back to your board a recommendation. If WCTV will be part or not will be based on their decision to work with us or not.

MOTION moved by Mrs. Mackenzie to appoint Eric Kraus to the Public Access TV Citizens Committee for a one year term , seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to appoint Mr. Kraus as interim chairman, seconded by Mr. Timson, VOTED 5-0-0

It was discussed if the Committee needs a consultant the Board is open to that. The Committee plans on keeping the Board well informed. They will be required to post meetings.

Peter O'Farrell

Peter O'Farrell resident since 2003 has over twenty years experience in news and TV production. He currently serves as a Technical support specialist. The Board was pleased have such experience.

MOTION moved by moved to appoint Peter O'Farrell to the Public Access TV Citizens Committee for a one year term, seconded by Mr. Berry, VOTED 5-0-0

Nancy O'Neil

MOTION moved by Mr. Timson to appoint Nancy O'Neil to the Public Access TV Citizens Committee for a one year term, seconded by Mrs. Mackenzie VOTED 5-0-0

5-10 Variance for Street Opening, 11 Berkely Drive

Bill Duggan is building a house at 11 Berkeley drive and would like to get a gas line. We do not know if there is sleeve for us to connect to. Primary source of heat will be gas. It would be a tremendous help. Columbia gas may be able to connect without opening the street. My seven year old has health issues. Building in extra ventilation to keep things

Board of Selectmen

Minutes of May 13, 2014

out of the house for his son's health. Columbia Gas could not find if there was a stub or not. There is a gas line on the other side of the street.

Carl Aiello, Columbia Gas, we do not know if there is a stub. The builder may have put in a sleeve. We do not show a stub. If we put gas in the road we know where it is. Mr. Snuffer questioned if they can use ground penetrating radar to find it.

Chavonne from the Gas Company explained they have two requests for gas service for house number 7 and 11. Chavonne that one does have a service sleeve. Mrs. Mackenzie noted even with a sleeve you will have to dig to connect. It would make sense for us to do this once. They have in the past been able to dig under the main. The Board can approve both 7 and 11 Berkeley tonight with conditions.

MOTION moved by Mrs. Mackenzie to approve the request for a Street Opening Permit for 11 and 7 Berkeley Drive subject to the conditions set forth in the memo from Town Engineer dated April 23, 2014 being adhered to, seconded by Mr. Snuffer, VOTED 5-0-0

5-11 Hardship Request, Ambulance Bill

This person meets the requirements for a hardship.

MOTION moved by Mr. Berry to approve the hardship request for Ambulance Run#154054 in the amount of \$1,483.72, seconded by Mrs. Mackenzie, VOTED 5-0-0

5-12 Stop Sign , Conifer Drive and Chandler Ave

Mr. Boynton informed the Board the Police Department has received complaints about this intersection. It is a free for all, no stopping on either spot. Mrs. Mackenzie asked the Town Engineer do a mailing to the neighborhood to let them know there is a STOP sign. There was no input from the neighborhood and they were not notified there was a STOP sign being installed.

MOTION moved by Mrs. Mackenzie to approve the request to install a Stop Sign at the intersection of Conifer Dr and Chandler Ave, seconded by Mr. Berry, VOTED 5-0-0

5-13 Use of A. Farm, Wedding Ceremony

MOTION moved by Mr. Berry to approve the use of A. Farm for a Wedding Ceremony on October 11, 2014 for Stephanie Ostrom, seconded by Mrs. Mackenzie, VOTED 5-0-0

5-14 Village Fair

MOTION moved by Mrs. Mackenzie to approve the request to hold the Annual Village Fair on June 14, 2014 subject to all necessary documentation being received, seconded by Mr. Berry, VOTED 5-0-0

6

Board of Selectmen

Minutes of May 13, 2014

5-15 Memorial Day

M Boynton talked about the difficulty of closing Main Street. What we will do is keep spaces blocked off for display of the military vehicles.

MOTION moved by Mrs. Mackenzie to approve the request to hold the Memorial Day observance but not closing of RT1A, seconded by Mr. Timson, VOTED 5-0-0

5-16 One Day Entertainment

MOTION moved by Mrs. Mackenzie to approve the one day entertainment license for The Crease for May 17, 2014, seconded by Mr. Snuffer, VOTED 5-0-0

5-17 One Day All Alcoholic, Walpole Sportsman's

MOTION moved by Mrs. Mackenzie to approve the One day all Alcoholic license for the Walpole Sportsman's Assoc for June 15, 2014 and September 6, 2014 subject to there be no shooting during the serving of liquor, seconded by Mr. Timson, VOTED 5-0-0

One Day Entertainment, Walpole Sportsman's

MOTION moved by Mrs. Mackenzie to approve the one day entertainment for Walpole Sportsman's Assoc for September 6, 2014, seconded by Mr. Timson, VOTED 5-0-0

5-18 Annual Election Warrant

MOTION moved by Mrs. Mackenzie to sign the Annual Election Warrant for June 7, 2014, seconded by Mr. Timson, VOTED 5-0-0

5-19 Bid Award, 2014-33

Mrs. Mackenzie would like the DPW to send out letters to the residents and offer them a one day informational meeting regarding the process.

MOTION moved by Mrs. Mackenzie to award bid 2014-33 to Sealcoating, Inc., Braintree, MA, for the streets listed in the bid with the exception of West Pine Drive which will be under separate vote, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to award bid 2014-33 to Sealcoating, Inc., Braintree, MA, for W. Pine Dr, seconded by Mr. Gallivan, VOTED 4-0-1 (Mr. Timson abstained)

5-20 Bid Award, 2014-26, Type I Asphalt Resurfacing

MOTION moved by Mrs. Mackenzie to award bid 2014-26 to JH Lynch and Sons, Inc, Cumberland RI per item unit cost basis FOR Norfolk Street, Various Parking Lots,

Board of Selectmen

Minutes of May 13, 2014

Abbey Rd, Alton St, Bonnie Rd, Butch Songin Circle, Carpenter Rd, Carriage lane, Cobble Knoll Dr, Concord Dr, Diamond St, Harrison Ave, Hutchinson Rd, Marguerite Rd, Neal St, patriot Dr, Pine Hill Drive and Ridge Rd, seconded by Mr. Timson VOTED 5-0-0

November Ballot

Mr. Boynton spoke of the Board's vote of a finance plan, timetable. Want to be sure that we identified early on that any type of request to the November Ballot question to the AG office could be made early.

MOTION moved by Mr. Gallivan to instruct the T. Clerk to request of the Secretary of State's office permission for placement on the November ballot for a proposed debt exclusion question for the Walpole Facilities plan seconded by Mr. Snuffer, VOTED 5-0-0

Mr. Mackenzie questioned by requesting this can we realize that we can not make November and change that. Mr. Boynton stated if you find in August that it does not go on. Mrs. Mackenzie does not want to get to September and know we are not going to make that deadline.

5-21 Liquor License Discussion

M. Berry, we have had a discussion in the past meetings about liquor license and additional need for future growth. What might be the best direction. In looking long term, it may have been Mrs. Mackenzie's suggestion that we charge the EDC with this. See if we could advance the discussion on Liquor licenses, if we do identify the need have something put on the FTM, and file with the legislators in Jan 2015. Be a better use of everyone's time to hold off a few Months. Charge the EDC, or charge Stephanie to develop an article for future needs. If we wait for Spring 2015, it could take at least 18 months. It should be looked at. He talked about the proposed project near the train station that may wish to have a license. Set this on a path where we can get a question answered.

Mr. Snuffer reminded the members the package store owners it is doubtful they would want to see any additional licenses. I do not want to see this leave the purview of the Board. We should be able to exercise good judgment. Licenses are based on the quota, these two specials, have the same function of seeing 5,000 new people.

Mrs. Mackenzie would like charge the EDC with the mission to gather information for us, pole the liquor stores, outreach, outreach to rest in towns, do a comparison what other towns are doing and what they have increased. And who has past legislation. We can do that within the Board. The Economic Development part and have them give us input and legwork. It is what they should be used for. Great to get their input. In the meantime, as far as the legislators, the Spring time frame. Possible if the Ravens nest wanted to do

Board of Selectmen

Minutes of May 13, 2014

something, trial run and see how it works for them. Do a one day license. A lot of information that should be gathered. It is our purview.

Mr. Timson does not have a problem getting information from them. Need to keep in mind the timeframe. If we charge them, we need to include timeframe. Mr. Berry talked about the process that goes thru the State house, that is why we thought going thru FTM and then hand over to them in January 2015.

M. boy- The Governors office talked about removing the quota system. Mr. Berry some communities have been working to have that lifted. Mr. Boynton will draft a letter to EDC.

TA Report

Superfund Site- meet with residents of Clark Ave regarding capping of parking an lighting. Final decision of the lot. You will be in the loop in the Tax taking process. Transfer responsibility back. One thing that will happen, mechanism in place in the Fall for the demo of the bldg.

Liquor hearings- MOTION moved by Mr. Timson to set the hearing date for June 24, 2014 at 7Pm seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to Authorize Town Counsel to discuss with the Alleged violators to discuss the agreement for said violation VOTED 5-0-0

Recreation update- Josh Cole is leaving for a new job in Virginia. We will post by end of the month the Recreation Director, resumes by June 27. Screening Committee, JJ, Courtney, Jodi, Eric Kraus, member from BOS, School Committee, Recreation Committee, then have a final review. Looking for beginning of September. Mrs. Mackenzie would be very interested in serving. When we have the past had a change we did as a Board and did an evaluation and see if we need to make some changes. I would think before we advertise and hire and have a workshop and look at the Recreation dept and get input from Recreation Committee.

M. Berry-Good opportunity for reinvention Recreation does fall under Public Works in some communities. The process we have set up know. Also when you take a look at COA that does a lot of activities. How Recreation may play a role in the Senior Center.

Library Financing Update- if everything works out well, we may be able to increase the amount available for the municipal facilities plan. The mechanism to return this would be a utilization towards a similar type project.

Wading Pool-the pool looks demo, did that to save money. We knew the pool would be out of commission for some time. This one season of inconvenience will lead to a better and safer pool.

Board of Selectmen

Minutes of May 13, 2014

Walpole Mall-Safety issue for folks coming out of Sandra and Hale, people getting a red light out of the Mall are essentially cutting off Residents.

MINUTES

MOTION moved by Mr. Timson to approve the minutes of April 4, 2014, seconded by Mrs. Mackenzie, VOTED 4-0-1

MOTION moved by Mr. Timson to approve the minutes of April 15, and April 29 2014, seconded by Mrs. Mackenzie, VOTED 4-0-1

NEW BUSINESS

Mr. Snuffer talked about the petition from New Pond. Would like that on the next agenda.

OLD BUSINESS

Mr. Timson talked about Senator Keating came in and would like to get it on the Agenda to get a vote of support from the Board. Talked to some Coalition members additional discussion about fundraising. Like to revisit the Trust Fund. Put on the next agenda some discussion about Trust fund for the Coalition. Want to be part of the solution.

EXECUTIVE SESSION

Chairman's Statement

- Under G.L. C.30A , §21(a)(2 and), the purpose of the executive session will be for the following purposes;
- To discuss strategy in preparation for contract negotiations with non-union personnel
- To discuss strategy with respect to litigation
- That a discussion of the foregoing issues in open session could compromise the purpose for the executive session ; and
- That the Board of Selectmen shall return to open session at the conclusion of the executive session and may take a vote after exiting ES.

MOTION moved by Mrs. Mackenzie to enter Executive Session for the reasons stated by the Chairman seconded by Mr. Snuffer, by ROLL CALL VOTE Mr. Snuffer-Aye, Mr. Berry-Aye, Mrs. Mackenzie-Aye, Mr. Timson-Aye and Mr. Gallivan-Aye.

10

Board of Selectmen

Minutes of May 13, 2014

Mrs. Mackenzie stated she will exit Executive session and will not participate in the discussion for non union personnel.

The Board exited Executive Session. Mrs. Mackenzie had left the meeting at 10:10p.m. and did not participate in the Police Chief's Contract discussion.

Chief Stillman, Contract

MOTION moved by Mr. Timson to approve the contract with Chief Richard Stillman as presented, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Timson to adjourn at 10:25pm , seconded by Mr. Berry, VOTED 4-0-0